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**LAW DEPARTMENT**

**NOTIFICATION**

The 8th August, 2013

No.8147-III.Legis.1/2013/L.,—The following Acts of Parliament which are assented by the President on the 3rd January, 2013 and published by the Government of India, Ministry of Law & Justice (Legislative Department) in the Gazette of India, Extraordinary, Part-II, Section-I dated the 4th January, 2013 are hereby republished for general information.

By Order of the Governor

SATRUGHANA PUJAHARI

Principal Secretary to Government

**ACT NO. 01 OF 2013**  
**ASSENTED TO ON 3RD JANUARY, 2013**

**THE ENFORCEMENT OF SECURITY AND RECOVERY OF DEBTS**  
**LAWS (AMENDMENT) ACT, 2012**

**AN**

**ACT**

*further to amend the Securitisation and Reconstruction of Financial Assets  
and Enforcement of Security Interest Act, 2002 and the Recovery of Debts  
Due to Banks and Financial Institutions Act, 1993.*

**BE** it enacted by Parliament in the Sixty-third Year of the Republic of India  
as follows:—

**CHAPTER I**

**PRELIMINARY**

**1.** (1) This Act may be called the Enforcement of Security Interest and  
Recovery of Debts Laws (Amendment) Act, 2012

Short title  
and  
Commence-  
ment.

(2) It shall come into force on such date as the Central Government may,  
by notification in the Official Gazette, appoint:

Provided that different dates may be appointed for different provisions of this  
Act and any reference in any such provision to the commencement of this Act  
shall be construed as a reference to the coming into force of that provision.

**CHAPTER II**

**AMENDMENTS TO THE SECURITISATION AND RECONSTRUCTION OF FINANCIAL ASSETS  
AND ENFORCEMENT OF SECURITY INTEREST ACT, 2002**

Amendment of  
section 2.

**2.** In section 2 of the Securitisation and Reconstruction of Financial Assets  
and Enforcement of Security Interest Act, 2002 (hereafter in this Chapter referred  
to as the principal Act), in clause (c), after sub-clause (iv), the following sub-<sup>54 of 2002.</sup>  
clause shall be inserted, namely:—

“(iva) a multi-State co-operative bank; or”.

Amendment  
of section 5.

**3.** In section 5 of the principal Act, after sub-section (4), the following sub-  
section shall be inserted, namely:—

“(5) On acquisition of financial assets under sub-section (1), the  
securitization company or reconstruction company, may with the consent of  
the originator, file an application before the Debts Recovery Tribunal or the  
Appellate Tribunal or any court or other Authority for the purpose of  
substitution of its name in any pending suit, appeal or other proceedings and  
on receipt of such application, such Debts Recovery Tribunal or the

Appellate Tribunal or court or Authority shall pass orders for the substitution of the securitisation company or reconstruction company in such pending suit, appeal or other proceedings.”.

Amendment  
of section 9.

**4.** In section 9 of the principal Act, after clause (f), the following clause shall be inserted, namely:—

“(g) to convert any portion of debt into shares of a borrower company:

Provided that conversion of any part of debt into shares of a borrower company shall be deemed always to have been valid, as if the provisions of this clause were in force at all material times.”.

Amendment  
of section 13.

**5.** In section 13 of the principal Act,—

(a) in sub-section (3A), for the words “within one week”, the words “within fifteen days” shall be substituted;

(b) after sub-section (5), the following sub-sections shall be inserted, namely:—

“(5A) Where the sale of an immovable property, for which a reserve price has been specified, has been postponed for want of a bid of an amount not less than such reserve price, it shall be lawful for any officer of the secured creditor, if so authorised by the secured creditor in this behalf, to bid for the immovable property on behalf of the secured creditor at any subsequent sale.

(5B) Where the secured creditor, referred to in sub-section (5A), is declared to be the purchaser of the immovable property at any subsequent sale, the amount of the purchase price shall be adjusted towards the amount of the claim of the secured creditor for which the auction of enforcement of security interest is taken by the secured creditor, under sub-section (4) of section 13.

(5C) The provisions of section 9 of the Banking Regulation Act, 1949 shall, as far as may be, apply to the immovable property acquired by secured creditor under sub-section (5A).”.

10 of 1949.

(c) in the opening portion of sub-section (9), and in the *Explanation* thereto, for the words “three-fourth”, occurring at both the places, the words “sixty per cent.” shall be substituted.

Amendment  
of section 14.

**6.** In section 14 of the principal Act,—

(a) in sub-section (1), the following provisos shall be inserted, namely:—

“Provided that any application by the secured creditor shall be accompanied by an affidavit duly affirmed by the authorised officer of the secured creditor, declaring that—

(i) the aggregate amount of financial assistance granted and the total claim of the Bank as on the date of filing the application;

(ii) the borrower has created security interest over various properties and that the Bank or Financial Institution is holding a valid and subsisting security interest over such properties and the claim of the Bank or Financial Institution is within the limitation period;

(iii) the borrower has created security interest over various properties giving the details of properties referred to in sub-clause (ii) above;

(iv) the borrower has committed default in repayment of the financial assistance granted aggregating the specified amount;

(v) consequent upon such default in repayment of the financial assistance the account of the borrower has been classified as a non performing asset;

(vi) affirming that the period of sixty days notice as required by the provisions of sub-section (2) of section 13, demanding payment of the defaulted financial assistance has been served on the borrower;

(vii) the objection or representation in reply to the notice received from the borrower has been considered by the secured creditor and reasons for non-acceptance of such objection or representation had been communicated to the borrower;

(viii) the borrower has not made any repayment of the financial assistance in spite of the above notice and the Authorised Officer is, therefore, entitled to take possession of the secured assets under the provisions of sub-section (4) of section 13 read with section 14 of the principal Act;

(ix) that the provisions of this Act and the rules made thereunder had been complied with:

Provided further that on receipt of the affidavit from the Authorised Officer, the District Magistrate or the Chief Metropolitan Magistrate, as the case may be, shall after satisfying the contents of the affidavit pass suitable orders for the purpose of taking possession of the secured assets:

Provided also that the requirement of filing affidavit stated in the first proviso shall not apply to proceeding pending before any

District Magistrate or the Chief Metropolitan Magistrate, as the case may be, on the date of commencement of this Act.”;

(b) after sub-section (1), the following sub-section shall be inserted, namely:—

“(1A) The District Magistrate or the Chief Metropolitan Magistrate may authorise any officer subordinate to him,—

(i) to take possession of such assets and documents relating thereto; and

(ii) to forward such assets and documents to the secured creditor.”;

(c) in sub-section (3), after the words “the District Magistrate”, the words “any officer authorised by the Chief Metropolitan Magistrate or District Magistrate” shall be inserted.

7. After section 18B of the principal Act, the following section shall be inserted, namely:—

Insertion of  
new section  
18C.

“18C. (1) Where an application or an appeal is expected to be made or has been made under sub-section (1) of section 17 or section 17A or sub-section (1) of section 18 or section 18B, the secured creditor or any person claiming a right to appear before the Tribunal or the Court of District Judge or the Appellate Tribunal or the High Court, as the case may be, on the hearing of such application or appeal, may lodge a caveat in respect thereof.

Right to  
lodge a  
caveat.

(2) Where a caveat has been lodged under sub-section (1),—

(a) the secured creditor by whom the caveat has been lodged (hereafter in this section referred to as the caveator) shall serve notice of the caveat by registered post, acknowledgement due, on the person by whom the application has been or is expected to be made under sub-section (1);

(b) any person by whom the caveat has been lodged (hereafter in this section referred to as the caveator) shall serve notice of the caveat by registered post, acknowledgement due, on the person by whom the application has been or is expected to be made under sub-section (1).

(3) Where after a caveat has been lodged under sub-section (1), any application or appeal is filed before the Tribunal or the court of District Judge or the Appellate Tribunal or the High Court, as the case may be, the Tribunal or the District Judge or the Appellate Tribunal or the High Court, as the case may be, shall serve a notice of application or appeal filed by the applicant or the appellant on the caveator.

(4) Where a notice of any caveat has been served on the applicant or the Appellant, he shall periodically furnish the caveator with a copy of the application or the appeal made by him and also with copies of any paper or document which has been or may be filed by him in support of the application or the appeal.

(5) Where a caveat has been lodged under sub-section (1), such caveat shall not remain in force after the expiry of the period of ninety days from the date on which it was lodged unless the application or appeal referred to in sub-section (1) has been made before the expiry of the said period.”.

Amendment  
of section 23.

**8.** In section 23 of the principal Act, after the proviso, the following proviso shall be inserted, namely:—

“Provided further that the Central Government may, by notification, require registration of all transactions of securitisation, or asset reconstruction or creation of security interest which are subsisting on or before the date of establishment of the Central Registry under sub-section (1) of section 20 within such period and on payment of such fees as may be prescribed.”.

Insertion of  
new section  
26A.

**9.** After section 26 of the principal Act, the following section shall be inserted, namely:—

“26A. (1) The Central Government, on being satisfied—

Rectification  
by Central  
Government  
in matters of  
registration  
modification  
and  
satisfaction,  
etc.

(a) that the omission to file with the Registrar the particulars of any transaction of securitisation, asset reconstruction or security interest or modification or satisfaction of such transaction or; the omission or mis-statement of any particular with respect to any such transaction or modification or with respect to any satisfaction or other entry made in pursuance of section 23 or section 24 or section 25 of the principal Act was accidental or due to inadvertence or some other sufficient cause or it is not of a nature to prejudice the position of creditors; or

(b) that on other grounds, it is just and equitable to grant relief, may, on the application of a secured creditor or securitisation company or reconstruction company or any other person interested on such terms and conditions as it may seem to the Central Government just and expedient, direct that the time for filing of the particulars of the transaction for

registration or modification or satisfaction shall be extended or, as the case may require, the omission or mis-statement shall be rectified.

(2) Where the Central Government extends the time for the registration of transaction of security interest or securitisation or asset reconstruction or modification or satisfaction thereof, the order shall not prejudice any rights acquired in respect of the property concerned or financial asset before the transaction is actually registered.”.

**10.** For section 30 of the principal Act, the following section shall be substituted, namely:—

Substitution of new section for section 30.

“30. (1) No court shall take cognizance of any offence punishable under section 27 in relation to non-compliance with the provisions of section 23, section 24 or section 25 or under section 28 or section 29 or any other provisions of the Act, except upon a complaint in writing made by an officer of the Central Registry or an officer of the Reserve Bank, generally or specially authorised in writing in this behalf by the Central Registrar or, as the case may be, the Reserve Bank.

Cognizance of offences.

(2) No court inferior to that of a Metropolitan Magistrate or a Judicial Magistrate of the first class shall try any offence punishable under this Act.”

**11.** After section 31 of the principal Act, the following section shall be inserted, namely:—

Insertion of new section 31A.

“31A. (1) The Central Government may, by notification in the public interest, direct that any of the provisions of this Act,—

Power to exempt a class or classes of banks or financial institutions.

(a) shall not apply to such class or classes of banks or financial institutions; or

(b) shall apply to the class or classes of banks or financial institutions with such exceptions, modifications and adaptations, as may be specified in the notification.

(2) A copy of every notification proposed to be issued under sub-section (1), shall be laid in draft before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in disapproving the issue of the notification or both Houses agree in making any modification in the notification, the notification shall not be issued or, as the case may be, shall be issued only in such modified form as may be agreed upon by both the Houses.”.

### CHAPTER III

#### AMENDMENTS TO THE RECOVERY OF DEBTS DUE TO BANKS AND FINANCIAL INSTITUTIONS ACT, 1993

51 of 1993. **12.** In the Recovery of Debts Due to Banks and Financial Institutions Act, 1993, (hereafter in this Chapter referred to as the principal Act), in section 2, in clause (d), after sub-clause (v), the following sub-clause shall be inserted, namely:—

Amendment  
of section 2.

“(vi) a multi-State co-operative bank;”.

**13.** In section 15 of the principal Act, in sub-section (2), the following proviso shall be inserted, namely:—

Amendment  
of section  
15.

"Provided that the Central Government, during the pendency of the inquiry against the Presiding Officer or a Chairperson, as the case may be, may, after consulting the Chairperson of the Selection Committee constituted for selection of Presiding Officer or Chairperson, pass an order suspending the Presiding Officer or the Chairperson, if it is satisfied that he should cease to discharge his functions as a Presiding Officer or Chairperson, as the case may be."

Amendment  
of section  
18.

**14.** In section 18 of the principal Act, the following proviso shall be inserted, namely:—

“Provided that any proceedings in relation to the recovery of debts due to any multi-State co-operative bank pending before the date of commencement of the Enforcement of Security Interest and Recovery of Debts Laws (Amendment) Act, 2012 under the Multi-State Co-operative Societies Act, 2002 shall be continued and nothing contained in this section shall, after such commencement, apply to such proceedings.”.

39 of 2013.

Amendment  
of section  
19.

**15.** In section 19 of the principal Act,—

(a) after sub-section (I), the following sub-sections shall be inserted, namely:—

“(IA) Every bank being, multi-State co-operative bank referred to in sub clause (vi) of clause (d) of section 2, may, at its option, opt to initiate proceedings under the Multi-State Co-operative Societies Act, 2002 to recover debts, whether due before or after the date of commencement of the Enforcement of the Security Interest and Recovery of Debts Laws (Amendment) Act, 2012 from any person instead of making an application under this Chapter.

39 of 2002.



(1B) In case, a bank being, multi-State co-operative bank referred to in sub-clause (vi) of clause (d) of section 2 has filed an application under this Chapter and subsequently opts to withdraw the application for the purpose of initiating proceeding under the Multi-State Co-operative Societies Act, 2002 to recover debts, it may do so with the permission of the Tribunal and every such application seeking permission from the Tribunal to withdraw the application made under sub-section (1A) shall be dealt with by it as expeditiously as possible and disposed of within thirty days from the date of such application: 39 of 2002.

Provided that in case the Tribunal refuses to grant permission for withdrawal of the application filed under this sub-section, it shall pass such orders after recording the reasons therefor.”;

(b) after sub-section (3), the following sub-section shall be inserted, namely:—

“(3A) If any application filed before the Tribunal for recovery of any debt is settled prior to the commencement of the hearing before that Tribunal or at any stage of the proceedings before the final order is passed, the applicant may be granted refund of the fees paid by him at such rates as may be prescribed.”;

(c) for sub-section (5), the following sub-section shall be substituted, namely:—

“(5) The defendant shall, within a period of thirty days from the date of service of summons, present a written statement of this defence:

Provided that where the defendant fails to file the written statement within the said period of thirty days, the Presiding Officer may, in exceptional cases and in special circumstances to be recorded in writing, allow not more than two extensions to the defendant to file the written statement.”;

(d) after sub-section (5), the following sub-section shall be inserted, namely:—

(5A) After hearing of the application has commenced, it shall be continued from day-to-day until the hearing is concluded:

Provided that the Tribunal may grant adjournments if sufficient cause is shown, but no such adjournment shall be granted more than three times to a party and where there are three or more parties, the total number of such adjournments shall not exceed six:

Provided further that, the Presiding Officer may grant such adjournments on imposing such costs as may be considered necessary.";

(e) after sub-section (20), the following sub-section shall be inserted, namely:—

“(20A) Where it is proved to the satisfaction of the Tribunal that the claim of the applicant has been adjusted wholly or in part by any lawful agreement or compromise in writing and signed by the parties or where the defendant has repaid or agreed to repay the claim of the applicant, the Tribunal shall pass orders recording such agreement, compromise or satisfaction of the claim.”.

**16.** In section 31 of the principal Act, after the proviso, the following proviso shall be inserted, namely:—

Amendment  
of section  
31.

“Provided further that any recovery proceedings in relation to the recovery of debts due to any multi-State co-operative bank pending before the date of commencement of the Enforcement of Security Interest and Recovery of Debts Laws (Amendment) Act, 2012 under the Multi-State Co-operative Societies Act, 2002, shall be continued and nothing contained in this section shall apply to such proceedings.”.

39 of 2002.

**17.** In section 36 of the principal Act, in sub-section (2), after clause (c), the following clause shall be inserted, namely:—

Amendment  
of section  
36.

"(cc) the rate of fee to be refunded to the applicant under sub-section (3A) of section 19 of the Act.".

**ACT NO. 02 OF 2013**  
**ASSENTED TO ON 3RD JANUARY, 2013**

**THE PREVENTION OF MONEY-LAUNDERING**  
**(AMENDMENT) ACT, 2012**

**AN**

**ACT**

*further to amend the Prevention of Money-laundering Act, 2002.*

**BE** it enacted by Parliament in the Sixty-third Year of the Republic of India as follows:—

**1.** (1) This Act may be called the Prevention of Money-laundering (Amendment) Act, 2012. Short title  
and  
Commence-  
ment

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint

15 of 2003. **2.** In section 2 of the Prevention of Money-laundering Act, 2002 (hereinafter referred to as the principal Act), in sub-section (1),— Amendment  
of section  
2.

(i) after clause (f), the following clause shall be inserted, namely:—

‘(fa) “beneficial owner” means an individual who ultimately owns or controls a client of a reporting entity or the person on whose behalf a transaction is being conducted and includes a person who exercises ultimate effective control over a juridical person;’;

(ii) after clause (h), the following clause shall be inserted, namely:—

‘(ha) “client” means a person who is engaged in a financial transaction or activity with a reporting entity and includes a person on whose behalf the person who engaged in the transaction or activity, is acting;’;

(iii) after clause (i), the following clauses shall be inserted, namely:—

‘(ia) “corresponding law” means any law of any foreign country corresponding to any of the provisions of this Act or dealing with offences in that country corresponding to any of the scheduled offences;

‘(ib) “dealer” has the same meaning as assigned to it in clause (b) of section 2 of the Central Sales Tax Act, 1956;’;

74 of 1956.

(iv) clause (ja) shall be omitted;

(v) for clause (l), the following clause shall be substituted, namely:—

‘(l) “financial institution” means a financial institution as defined in clause (c) of section 45-I of the Reserve Bank of India Act, 1934 and includes a chit fund company, a housing finance institution, an authorised person, a payment system operator, a non-banking financial company and the Department of Posts in the Government of India;’;

2 of 1934.

(vi) for clause (n), the following clause shall be substituted, namely:—

‘(n) “intermediary” means,—

(i) a stock-broker, sub-broker, share transfer agent, banker to an issue, trustee to a trust deed, registrar to an issue, merchant banker, underwriter, portfolio manager, investment adviser or any other intermediary associated with securities market and registered under section 12 of the Securities and Exchange Board of India Act, 1992; or 15 of 1992.

(ii) an association recognised or registered under the Forward Contracts (Regulation) Act, 1952 or any member of such 74 of 1952. association; or

(iii) intermediary registered by the Pension Fund Regulatory and Development Authority; or

(iv) a recognised stock exchange referred to in clause (f) of section 2 of the Securities Contracts (Regulation) Act, 1956;’ 42 of 1956.

(vii) in clause (q), the words “and includes a person carrying on designated business or profession” shall be omitted;

(viii) in clause (ra), in sub-clause (i), for the word “remits”, the words “transfers in any manner” shall be substituted;

(ix) after clause (s), the following clauses shall be inserted, namely:—

‘(sa) “person carrying on designated business or profession” means,—

(i) a person carrying on activities for playing games of chance for cash or kind, and includes such activities associated with casino;

(ii) a Registrar or Sub-Registrar appointed under section 6 of the Registration Act, 1908, as may be notified by the Central 16 of 1908. Government;

(iii) real estate agent, as may be notified by the Central Government;

(iv) dealer in precious metals, precious stones and other high value goods, as may be notified by the Central Government;

(v) person engaged in safekeeping and administration of cash and liquid securities on behalf of other persons, as may be notified by the Central Government; or

(vi) person carrying on such other activities as the Central Government may, by notification, so designate, from time to time;

(sb) “precious metal” means gold, silver, platinum, palladium or rhodium or such other metal as may be notified by the Central Government;

(sc) “precious stone” means diamond, emerald, ruby, sapphire or any such other stone as may be notified by the Central Government;’;

(x) after clause (v), the following shall be inserted, namely:—

‘*Explanation.*—For the removal of doubts, it is hereby clarified that the term “property” includes property of any kind used in the commission of an offence under this Act or any of the scheduled offences;

(va) “real estate agent” means a real estate agent as defined in clause (88) of section 65 of the Finance Act, 1994;’;

(xi) after clause (w), the following clause shall be inserted, namely:—

‘(wa) “reporting entity” means a banking company, financial institution, intermediary or a person carrying on a designated business or profession;’.

**3.** In section 3 of the principal Act, for the words “proceeds of crime and projecting”, the words “proceeds of crime including its concealment, possession, acquisition or use and projecting or claiming” shall be substituted. Amendment of section 3.

**4.** In section 4 of the principal Act, the words “which may extend to five lakh rupees” shall be omitted. Amendment of section 4.

**5.** In section 5 of the principal Act, for sub-section (I), the following sub-section shall be substituted, namely:— Amendment of section 5.

“(I) Where the Director or any other officer not below the rank of Deputy Director authorised by the Director for the purposes of this section, has reason to believe (the reason for such belief to be recorded in writing), on the basis of material in his possession, that—

(a) any person is in possession of any proceeds of crime; and

(b) such proceeds of crime are likely to be concealed, transferred or dealt with in any manner which may result in frustrating any proceedings relating to confiscation of such proceeds of crime under this Chapter,

he may, by order in writing, provisionally attach such property for a period not exceeding one hundred and eighty days from the date of the order, in such manner as may be prescribed:

Provided that no such order of attachment shall be made unless, in relation to the scheduled offence, a report has been forwarded to a Magistrate under section 173 of the Code of Criminal Procedure, 1973, or a complaint has been filed by a person authorised to investigate the offence mentioned in that Schedule, before a Magistrate or court for taking cognizance of the scheduled offence, as the case may be, or a similar report or complaint has been made or filed under the corresponding law of any other country:

Provided further that, notwithstanding anything contained in clause (b), any property of any person may be attached under this section if the Director or any other officer not below the rank of Deputy Director authorised by him for the purposes of this section has reason to believe (the reasons for such belief to be recorded in writing), on the basis of material in his possession, that if such property involved in money laundering is not attached immediately under this Chapter, the non-attachment of the property is likely to frustrate any proceeding under this Act.”.

**6. In section 8 of the principal Act,—**

Amendment  
of section 8.

(i) in sub-section (1), after the words and figure “section 5, or, seized”, the words “or frozen” shall be inserted;

(ii) in sub-section (3),—

(a) in the opening portion, for the words and figures “record seized under section 17 or section 18 and record a finding to that effect, such attachment or retention of the seized property”, the words and figures “record seized or frozen under section 17 or section 18 and record a finding to that effect, whereupon such attachment or retention or freezing of the seized or frozen property” shall be substituted;

(b) in clause (a), for the words “scheduled offence before a court; and”, the words “offence under this Act before a court or under the corresponding law of any other country, before the competent court of criminal jurisdiction outside India, as the case may be; and” shall be substituted;

(c) for clause (b), the following clause shall be substituted, namely:—

“(b) become final after an order of confiscation is passed under sub-section (5) or sub-section (7) of section 8 or section 58B or sub-section (2A) of section 60 by the Adjudicating Authority”;

(iii) in sub-section (4), for the words “possession of the attached property”, the following shall be substituted, namely:—

“possession of the property attached under section 5 or frozen under sub-section (1A) of section 17, in such manner as may be prescribed:

Provided that if it is not practicable to take possession of a property frozen under sub-section (1A) of section 17, the order of confiscation shall have the same effect as if the property had been taken possession of.”;

(iv) for sub-sections (5) and (6), the following sub-sections shall be substituted, namely:—

“(5) Where on conclusion of a trial of an offence under this Act, the Special Court finds that the offence of money-laundering has been committed, it shall order that such property involved in the money-

laundering or which has been used for commission of the offence of money-laundering shall stand confiscated to the Central Government.

(6) Where on conclusion of a trial under this Act, the Special Court finds that the offence of money-laundering has not taken place or the property is not involved in money-laundering, it shall order release of such property to the person entitled to receive it.

(7) Where the trial under this Act cannot be conducted by reason of the death of the accused or the accused being declared a proclaimed offender or for any other reason or having commenced but could not be concluded, the Special Court shall, on an application moved by the Director or a person claiming to be entitled to possession of a property in respect of which an order has been passed under sub-section (3) of section 8, pass appropriate orders regarding confiscation or release of the property, as the case may be, involved in the offence of money-laundering after having regard to the material before it.”.

Amendment  
of section 9.

7. In section 9 of the principal Act,—

(i) in the opening portion, for the words, brackets and figures “sub-section (6) of section 8”, the words, brackets, figures and letter “sub-section (5) or sub-section (7) of section 8 or section 58B or sub-section (2A) of section 60” shall be substituted;

(ii) in the first proviso,—

(a) for the words “Adjudicating Authority”, the words “Special Court or the Adjudicating Authority, as the case may be,” shall be substituted;

(b) after the words “or seized”, the words “or frozen” shall be inserted.

8. In section 10 of the principal Act, in sub-section (2), for the words, brackets and figures “sub-section (6) of section 8”, the words, brackets, figures and letter “sub-section (5) or sub-section (6) or sub-section (7) of section 8 or section 58B or sub-section (2A) of section 60” shall be substituted.

Amendment  
of section 10.

9. For section 12 of the principal Act, the following section shall be substituted, namely:—

Substitution  
of new  
section for  
section 12.

“12. (1) Every reporting entity shall—

(a) maintain a record of all transactions, including information relating to transactions covered under clause (b), in such manner as to enable it to reconstruct individual transactions;

Reporting  
entity to  
maintain  
records.

(b) furnish to the Director within such time as may be prescribed, information relating to such transactions, whether attempted or executed, the nature and value of which may be prescribed;

(c) verify the identity of its clients in such manner and subject to such conditions, as may be prescribed;

(d) identify the beneficial owner, if any, of such of its clients, as may be prescribed;

(e) maintain record of documents evidencing identity of its clients and beneficial owners as well as account files and business correspondence relating to its clients.

(2) Every information maintained, furnished or verified, save as otherwise provided under any law for the time being in force, shall be kept confidential.

(3) The records referred to in clause (a) of sub-section (1) shall be maintained for a period of five years from the date of transaction between a client and the reporting entity.

(4) The records referred to in clause (e) of sub-section (1) shall be maintained for a period of five years after the business relationship between a client and the reporting entity has ended or the account has been closed, whichever is later.

(5) The Central Government may, by notification, exempt any reporting entity or class of reporting entities from any obligation under this Chapter.”.

**10.** After section 12 of the principal Act, the following section shall be inserted, namely:—

Insertion of new section 12A.

“12A. (1) The Director may call for from any reporting entity any of the records referred to in sub-section (1) of section 12 and any additional information as he considers necessary for the purposes of this Act.

Access to information.

(2) Every reporting entity shall furnish to the Director such information as may be required by him under sub-section (1) within such time and in such manner as he may specify.

(3) Save as otherwise provided under any law for the time being in force, every information sought by the Director under sub-section (1), shall be kept confidential.”.

**11.** In section 13 of the principal Act,—

Amendment of section 13.

(i) in sub-section (1), for the words, brackets and figures “call for records referred to in sub-section (1) of section 12 and may make such inquiry or cause such inquiry to be made, as he thinks fit”, the words “make such inquiry or cause such inquiry to be made, as he thinks fit to be necessary, with regard to the obligations of the reporting entity, under this Chapter” shall be substituted;



(ii) after sub-section (1), the following sub-sections shall be inserted, namely:—

“(1A) If at any stage of inquiry or any other proceedings before him, the Director having regard to the nature and complexity of the case, is of the opinion that it is necessary to do so, he may direct the concerned reporting entity to get its records, as may be specified, audited by an accountant from amongst a panel of accountants, maintained by the Central Government for this purpose.

(1B) The expenses of, and incidental to, any audit under sub-section (1A) shall be borne by the Central Government.”;

(iii) for sub-section (2), the following sub-section shall be substituted, namely:—

“(2) If the Director, in the course of any inquiry, finds that a reporting entity or its designated director on the Board or any of its employees has failed to comply with the obligations under this Chapter, then, without prejudice to any other action that may be taken under any other provisions of this Act, he may—

(a) issue a warning in writing; or

(b) direct such reporting entity or its designated director on the Board or any of its employees, to comply with specific instructions; or

(c) direct such reporting entity or its designated director on the Board or any of its employees, to send reports at such interval as may be prescribed on the measures it is taking; or

(d) by an order, impose a monetary penalty on such reporting entity or its designated director on the Board or any of its employees, which shall not be less than ten thousand rupees but may extend to one lakh rupees for each failure.”;

(iv) after sub-section (3), the following *Explanation* shall be inserted, namely:—

“*Explanation.*—For the purpose of this section, “accountant” shall mean a chartered accountant within the meaning of the Chartered Accountants Act, 1949.”.

38 of 1949.

Substitution  
of new  
section for  
section 14.  
No civil or  
criminal  
proceedings  
against  
reporting  
entity, its  
directors and  
employees in  
certain cases.

**12.** For section 14 of the principal Act, the following section shall be substituted, namely:—

“14. Save as otherwise provided in section 13, the reporting entity, its directors and employees shall not be liable to any civil or criminal proceedings against them for furnishing information under clause (b) of sub-section (1) of section 12.”.

Substitution  
of new section  
for section 15.

Procedure and  
manner of  
furnishing  
information by  
reporting  
entities.

Amendment  
of section 17.

2 of 1974.

**13.** For section 15 of the principal Act, the following section shall be substituted, namely:—

“15. The Central Government may, in consultation with the Reserve Bank of India, prescribe the procedure and the manner of maintaining and furnishing information by a reporting entity under sub-section (1) of section 12 for the purpose of implementing the provisions of this Act.”.

**14.** In section 17 of the principal Act,—

(i) in sub-section (1),—

(a) in clause (iii), after the word “money-laundering,” , the word “or” shall be inserted;

(b) after clause (iii), the following clause shall be inserted, namely:—

“(iv) is in possession of any property related to crime.”;

(c) in clause (d), after the words “such record or”, the words “property, if required or” shall be inserted;

(d) for the proviso, the following proviso shall be substituted, namely:—

“Provided that no search shall be conducted unless, in relation to the scheduled offence, a report has been forwarded to a Magistrate under section 157 of the Code of Criminal Procedure, 1973, or a complaint has been filed by a person, authorised to investigate the offence mentioned in the Schedule, before a Magistrate or court for taking cognizance of the scheduled offence, as the case may be, or in cases where such report is not required to be forwarded, a similar report of information received or otherwise has been submitted by an officer authorised to investigate a scheduled offence to an officer not below the rank of Additional Secretary to the Government of India or equivalent being head of the office or Ministry or Department or Unit, as the case may be, or any other officer who may be authorised by the Central Government, by notification, for this purpose.”;

(ii) after sub-section (1), the following sub-section shall be inserted, namely:—

“(1A) Where it is not practicable to seize such record or property, the officer authorised under sub-section (1), may make an order to freeze such property whereupon the property shall not be transferred or otherwise dealt with, except with the prior permission of the officer making such order, and a copy of such order shall be served on the person concerned:

Provided that if, at any time before its confiscation under sub-section (5) or sub-section (7) of section 8 or section 58B or sub-section (2A) of section 60, it becomes practical to seize a frozen property, the officer authorised under sub section (1) may seize such property.”;

(iii) in sub-section (2), after the words, “immediately after search and seizure” the words “or upon issuance of a freezing order” shall be inserted;

(iv) for sub-section (4), the following sub-section shall be substituted, namely:—

“(4) The authority seizing any record or property under sub-section (1) or freezing any record or property under sub-section (1A) shall, within a period of thirty days from such seizure or freezing, as the case may be, file an application, requesting for retention of such record or property seized under sub-section (1) or for continuation of the order of freezing served under sub-section (1A), before the Adjudicating Authority.”.

**15.** In section 18 of the principal Act, in sub-section (1), for the proviso, the following proviso shall be substituted, namely:—

Amendment  
of section 18.

“Provided that no search of any person shall be made unless, in relation to the scheduled offence, a report has been forwarded to a Magistrate under section 157 of the Code of Criminal Procedure, 1973, or a complaint has been filed by a person, authorised to investigate the offence mentioned in the Schedule, before a Magistrate or court for taking cognizance of the scheduled offence, as the case may be, or in cases where such report is not required to be forwarded, a similar report of information received or otherwise has been submitted by an officer authorised to investigate a scheduled offence to an officer not below the rank of Additional Secretary to the Government of India or equivalent being head of the office or Ministry or Department or Unit, as the case may be, or any other officer who may be authorised by the Central Government, by notification, for this purpose.”;

2 of 1974.

Substitution of  
new sections  
for section 20  
and section  
21.

**16.** For sections 20 and 21 of the principal Act, the following sections shall be substituted, namely:—

Retention of  
property.

“20. (1) Where any property has been seized under section 17 or section 18 or frozen under sub-section (1A) of section 17 and the officer authorised by the Director in this behalf has, on the basis of material in his possession, reason to believe (the reason for such belief to be

recorded by him in writing) that such property is required to be retained for the purposes of adjudication under section 8, such property may, if seized, be retained or if frozen, may continue to remain frozen, for a period not exceeding one hundred and eighty days from the day on which such property was seized or frozen, as the case may be.

(2) The officer authorised by the Director shall, immediately after he has passed an order for retention or continuation of freezing of the property for purposes of adjudication under section 8, forward a copy of the order along with the material in his possession, referred to in sub-section (1), to the Adjudicating Authority, in a sealed envelope, in the manner as may be prescribed and such Adjudicating Authority shall keep such order and material for such period as may be prescribed.

(3) On the expiry of the period specified in sub-section (1), the property shall be returned to the person from whom such property was seized or whose property was ordered to be frozen unless the Adjudicating Authority permits retention or continuation of freezing of such property beyond the said period.

(4) The Adjudicating Authority, before authorising the retention or continuation of freezing of such property beyond the period specified in sub-section (1), shall satisfy himself that the property is *prima facie* involved in money-laundering and the property is required for the purposes of adjudication under section 8.

(5) After passing the order of confiscation under sub-section (5) or sub-section(7) of section 8, the Court or the Adjudicating Authority, as the case may be, shall direct the release of all property other than the property involved in money-laundering to the person from whom such property was seized or the persons entitled to receive it.

(6) Where an order releasing the property has been made by the Court under sub-section (6) of section 8 or by the Adjudicating Authority under section 58B or sub-section (2A) of section 60, the Director or any officer authorised by him in this behalf may withhold the release of any such property for a period of ninety days from the date of such order, if he is of the opinion that such property is relevant for the appeal proceedings under this Act.

Retention of  
records.

21. (1) Where any records have been seized, under section 17 or section 18 or frozen under sub-section (1A) of section 17 and the Investigating Officer or any other officer authorised by the Director in this behalf has reason to believe that any of such records are required to be retained for any inquiry under this Act, such records may if seized, be retained or if frozen, may continue to remain frozen, for a period not exceeding one hundred and eighty days from the day on which such records were seized or frozen, as the case may be.

(2) The person, from whom records seized or frozen, shall be entitled to obtain copies of records.

(3) On the expiry of the period specified under sub-section (1), the records shall be returned to the person from whom such records were seized or whose records were ordered to be frozen unless the Adjudicating Authority permits retention or continuation of freezing of such records beyond the said period.

(4) The Adjudicating Authority, before authorising the retention or continuation of freezing of such records beyond the period specified in sub-section (1), shall satisfy himself that the records are required for the purposes of adjudication under section 8.

(5) After passing of an order of confiscation under sub-section (5) or sub-section (7) of section 8, the Adjudicating Authority shall direct the release of the records to the person from whom such records were seized.

(6) Where an order releasing the records has been made by the Court under sub-section (6) of section 8 or by the Adjudicating Authority under section 58B or sub-section (2A) of section 60, the Director or any other officer authorised by him in this behalf may withhold the release of any such record for a period of ninety days from the date of such order, if he is of the opinion that such record is relevant for the appeal proceedings under this Act.”.

**17.** In section 22 of the principal Act, in sub-section (1), after the words “a survey or a search,”, the words “or where any record or property is produced by any person or has been resumed or seized from the custody or control of any person or has been frozen under this Act or under any other law for the time being in force,” shall be inserted. Amendment  
of section 22.

**18.** In section 23 of the principal Act, for the words and figure “under section 8, it shall, unless otherwise proved to the satisfaction of the Adjudicating Authority”, the words and figure “under section 8 or for the trial of the money-laundering offence, it shall unless otherwise proved to the satisfaction of the Adjudicating Authority or the Special Court” shall be substituted. Amendment  
of section 23.

**19.** For section 24 of the principal Act, the following section shall be substituted, namely:— Amendment  
of section 24.

“24. In any proceeding relating to proceeds of crime under this Act,—

(a) in the case of a person charged with the offence of money-laundering under section 3, the Authority or Court shall, unless the contrary is proved, presume that such proceeds of crime are involved in money-laundering; and Burden of  
Proof.

(b) in the case of any other person the Authority or Court, may presume that such proceeds of crime are involved in money-laundering.”

**20.** In section 26 of the principal Act, in sub-section (2), for the words “banking company, financial institution or intermediary”, the words “reporting entity” shall be substituted. Amendment  
of  
section 26.

**21.** In section 44 of the principal Act, in sub-section (1),— Amendment  
of section 44.

(i) for clause (a) the following clause shall be substituted, namely:—

“(a) an offence punishable under section 4 and any scheduled offence connected to the offence under that section shall be triable by the Special Court constituted for the area in which the offence has been committed:

Provided that the Special Court, trying a scheduled offence before the commencement of this Act, shall continue to try such scheduled offence; or”;

(ii) in clause (b), for the words “cognizance of the offence for which the accused is committed to it for trial”, the words and figure “cognizance of offence under section 3, without the accused being committed to it for trial” shall be substituted;

(iii) after clause (b), the following clauses shall be inserted, namely:—

“(c) if the court which has taken cognizance of the scheduled offence is other than the Special Court which has taken cognizance of the complaint of the offence of money-laundering under sub-clause (b), it shall, on an application by the authority authorised to file a complaint under this Act, commit the case relating to the scheduled offence to the Special Court and the Special Court shall, on receipt of such case proceed to deal with it from the stage at which it is committed.

(d) a Special Court while trying the scheduled offence or the offence of money-laundering shall hold trial in accordance with the provisions of the Code of Criminal Procedure, 1973, as it applies to a trial before a Court of Session.”. 2 of 1974.

Amendment  
of section 50.

**22.** In section 50 of the principal Act, in sub-section (1), in clause (b), for the words “banking company or a financial institution or a company,”, the words “reporting entity” shall be substituted.

Amendment  
of section 54.

**23.** In section 54 of the principal Act,—

(i) in the opening portion, for the word “officers”, the words “officers and others” shall be substituted;

(ii) for clause (d), the following clause shall be substituted, namely:—

“(d) members of the recognised stock exchange referred to in clause (f) of section 2 and the officers of the stock exchanges recognised under section 4 of the Securities Contracts (Regulation) Act, 1956; 42 of 1956.

(iii) after clause (h), the following clauses shall be inserted, namely:—

“(ha) officers of the Insurance Regulatory and Development Authority established under section 3 of the Insurance Regulatory and Development Authority Act, 1999; 41 of 1999.

(hb) officers of the Forward Markets Commission established under section 3 of the Forward Contracts (Regulation) Act, 1952; 74 of 1952.

(hc) officers and members of the recognised association recognised under section 6 of the Forward Contracts (Regulation) Act, 1952; 74 of 1952.

(hd) officers of the Pension Fund Regulatory and Development Authority;

(he) officers of the Department of Posts in the Government of India;

(hf) Registrars or Sub-Registrars appointed by the State Governments under section 6 of the Registration Act, 1908; 16 of 1908.

(hg) registering authority empowered to register motor vehicles under Chapter IV of the Motor Vehicles Act, 1988; 59 of 1988.

(hh) officers and members of the Institute of Chartered Accountants of India constituted under section 3 of the Chartered Accountants Act, 1949; 38 of 1949.

(hi) officers and members of the Institute of Cost and Works Accountants of India constituted under section 3 of the Cost and Works Accountants Act, 1959; 23 of 1959.

(hj) officers and members of the Institute of Company Secretaries of India constituted under section 3 of the Company Secretaries Act, 1980;” 56 of 1980.

(iv) in clause (j), for the words “banking companies”, the words “reporting entities” shall be substituted.

**24.** After section 58, the following sections shall be inserted, namely:—

Insertion of  
new sections  
58A and 58B.

“58A. Where on closure of the criminal case or conclusion of a trial in a criminal court outside India under the corresponding law of any other country, such court finds that the offence of money-laundering has not taken place or the property in India is not involved in money-laundering, the Special Court may, on an application moved by the concerned person or the Director, after notice to the other party, order release of such property to the person entitled to receive it.

Special  
Court to  
release the  
property.

58B. Where the trial under the corresponding law of any other country cannot be conducted by reason of the death of the accused or the accused being declared a proclaimed offender or for any other reason or having commenced but could not be concluded, the Central Government shall, on receipt of a letter of request from a court or authority in a contracting State requesting for confiscation or release of property, as the case may be, forward the same to the Director to move an application before the Special Court and upon such application the Special Court shall pass appropriate orders regarding confiscation or release of such property involved in the offence of money-laundering.”.

Letter of  
request of a  
contracting  
State or  
authority for  
confiscation  
or release the  
property.

**25.** In section 60 of the principal Act,—

Amendment  
of section 60.

(i) in sub-section (1), for the words and figures “property under section 5 or where an Adjudicating Authority has made an order confirming such attachment or confiscation of any property under section 8”, the words, figures, brackets and letter “property under section 5 or for freezing under sub-section (1A) of section 17 or where an Adjudicating Authority has made an order relating to a property under section 8 or where a Special Court has made an order of confiscation relating to a property under sub-section (5) or sub section (6) of section 8” shall be substituted;

(ii) in sub-section (2),—

(a) for the words “attachment or confiscation”, the words “attachment, seizure, freezing or confiscation” shall be substituted;

(b) for the word and figure “section 3”, the words “a corresponding law” shall be substituted;

(iii) after sub-section (2), the following sub-section shall be inserted, namely:—

“(2A) Where on closure of the criminal case or conclusion of trial in a criminal court outside India under the corresponding law of any other country, such court finds that the offence of money-laundering under the corresponding law of that country has been committed, the



Adjudicating Authority shall, on receipt of an application from the Director for execution of confiscation under sub-section (2), order, after giving notice to the affected persons, that such property involved in money-laundering or which has been used for commission of the offence of money-laundering stand confiscated to the Central Government.”.

**26.** In section 63 of the principal Act, after sub-section (3), the following sub-section shall be inserted, namely:— Amendment  
of section 63.

45 of 1860.

Substitution  
of new  
section for  
section 69.

“(4) Notwithstanding anything contained in clause (c) of sub-section (2), a person who intentionally disobeys any direction issued under section 50 shall also be liable to be proceeded against under section 174 of the Indian Penal Code.”.

**27.** For section 69 of the principal Act, the following section shall be substituted, namely:—

Recovery of  
fine or  
penalty.

“69. Where any fine or penalty imposed on any person under section 13 or section 63 is not paid within six months from the day of imposition of fine or penalty, the Director or any other officer authorised by him in this behalf may proceed to recover the amount from the said person in the same manner as prescribed in Schedule II of the Income-tax Act, 1961 for the recovery of arrears and he or any officer authorized by him in this behalf shall have all the powers of the Tax Recovery Officer mentioned in the said Schedule for the said purpose.”.

43 of 1961.

Amendment of  
section 70.

**28.** In section 70 of the principal Act, the *Explanation* shall be numbered as *Explanation 1* thereof and after *Explanation 1* as so numbered, the following *Explanation* shall be inserted, namely:—

“*Explanation 2.*—For the removal of doubts, it is hereby clarified that a company may be prosecuted, notwithstanding whether the prosecution or conviction of any legal juridical person shall be contingent on the prosecution or conviction of any individual.”.

Amendment of  
section 73.

**29.** In section 73 of the principal Act, in sub-section (2),—

(i) after clause (a), the following clause shall be inserted, namely:—

“(aa) the manner of provisional attachment of property under sub-section (1) of section 5;”;

(ii) after clause (e), the following clause shall be inserted, namely:—

“(ee) the manner of seizing or taking possession of property attached under section 5 or frozen under sub-section (1A) of section 17 or under sub-section (4) of section 8;”;

(iii) clause (h) shall be omitted;

(iv) in clause (i), for the words “the time within which”, the words

“the nature and value of transactions and the time within which” shall be substituted;

(v) for clause (j), the following clauses shall be substituted, namely:—

“(j) the manner and the conditions in which identity of clients shall be verified by the reporting entities under clause (c) of sub-section (1) of section 12;

(jj) the manner of identifying beneficial owner, if any, from the clients by the reporting entities under clause (d) of sub-section (1) of section 12;

(jjj) the period of interval in which the reports are sent by the reporting entities or any of its employees under clause (c) of sub-section (2) of section 13;”;

(vi) after clause (p), the following clause shall be inserted, namely:—

“(pp) the manner in which the forwarding of the order for retention or continuation of freezing of the property and the period of keeping such order and material under sub-section (2) of section 20;”.

**30.** In the Schedule to the principal Act,—

(i) for Part A, the following Part shall be substituted, namely:—

Amendment  
of the  
Schedule.

“PART A

PARAGRAPH 1

OFFENCES UNDER THE INDIAN PENAL CODE

(45 OF 1860)

| Section | Description of offence   |
|---------|--|
| 120B    | Criminal conspiracy.   |
| 121     | Waging or attempting to wage war or abetting waging of war, against the Government of India. |
| 121A    | Conspiracy to commit offences punishable by section 121 against the State.                   |
| 255     | Counterfeiting Government stamp.   |
| 257     | Making or selling instrument for counterfeiting Government stamp.                            |
| 258     | Sale of counterfeit Government stamp.  |
| 259     | Having possession of counterfeit Government stamp.   |
| 260     | Using as genuine a Government stamp known to be counterfeit.                                 |
| 302     | Murder.  |
| 304     | Punishment for culpable homicide not amounting to murder.                                    |
| 307     | Attempt to murder.   |

| Section     | Description of offence  |
|-------------|---|
| 308         | Attempt to commit culpable homicide.  |
| 327         | Voluntarily causing hurt to extort property, or to constrain to an illegal act.                             |
| 329         | Voluntarily causing grievous hurt to extort property, or to constrain to an illegal act.                    |
| 364A        | Kidnapping for ransom, etc.   |
| 384 to 389  | Offences relating to extortion.   |
| 392 to 402  | Offences relating to robbery and dacoity.   |
| 411         | Dishonestly receiving stolen property.  |
| 412         | Dishonestly receiving property stolen in the commission of a dacoity.                                       |
| 413         | Habitually dealing in stolen property.  |
| 414         | Assisting in concealment of stolen property.  |
| 417         | Punishment for cheating.  |
| 418         | Cheating with knowledge that wrongful loss may ensue to person whose interest offender is bound to protect. |
| 419         | Punishment for cheating by personation.   |
| 420         | Cheating and dishonestly inducing delivery of property.   |
| 421         | Dishonest or fraudulent removal or concealment of property to prevent distribution among creditors.         |
| 422         | Dishonestly or fraudulently preventing debt being available for creditors.                                  |
| 423         | Dishonest or fraudulent execution of deed of transfer containing false statement of consideration.          |
| 424         | Dishonest or fraudulent removal or concealment of property.   |
| 467         | Forgery of valuable security, will, etc.  |
| 471         | Using as genuine a forged document or electronic record.  |
| 472 and 473 | Making or possessing counterfeit seal, etc., with intent to commit forgery.                                 |
| 475 and 476 | Counterfeiting device or mark.  |
| 481         | Using a false property mark.  |
| 482         | Punishment for using a false property mark.   |
| 483         | Counterfeiting a property mark used by another.   |
| 484         | Counterfeiting a mark used by a public servant.   |
| 485         | Making or possession of any instrument for counterfeiting a property mark.                                  |
| 486         | Selling goods marked with a counterfeit property mark.  |
| 487         | Making a false mark upon any receptacle containing goods.   |
| 488         | Punishment for making use of any such false mark.   |
| 489A        | Counterfeiting currency notes or bank notes.  |
| 489B        | Using as genuine, forged or counterfeit currency notes or bank notes.                                       |

PARAGRAPH 2  
OFFENCES UNDER THE NARCOTIC DRUGS AND PSYCHOTROPIC SUBSTANCES  
ACT, 1985  
(61 OF 1985)

| Section | Description of offence   |
|---------|--|
| 15      | Contravention in relation to poppy straw.  |
| 16      | Contravention in relation to coca plant and coca leaves.   |
| 17      | Contravention in relation to prepared opium.   |
| 18      | Contravention in relation to opium poppy and opium.  |
| 19      | Embezzlement of opium by cultivator.   |
| 20      | Contravention in relation to cannabis plant and cannabis.  |
| 21      | Contravention in relation to manufactured drugs and preparations.  |
| 22      | Contravention in relation to psychotropic substances.  |
| 23      | Illegal import into India, export from India to transshipment of narcotic drugs and psychotropic substances.   |
| 24      | External dealings in narcotic drugs and psychotropic substances in contravention of section 12 of the Narcotics Drugs and Psychotropic Substances Act, 1985. |
| 25A     | Contravention of orders made under section 9A of the Narcotic Drugs and Psychotropic Substances Act, 1985.   |
| 27A     | Financing illicit traffic and harbouring offenders.  |
| 29      | Abetment and criminal conspiracy.  |

PARAGRAPH 3  
OFFENCES UNDER THE EXPLOSIVE SUBSTANCES ACT, 1908  
( 6 OF 1908)

| Section | Description of offence  |
|---------|---|
| 3       | Causing explosion likely to endanger life or property.  |
| 4       | Attempt to cause explosion, or for making or keeping explosives with intent to endanger life or property. |
| 5       | Making or possessing explosives under suspicious circumstances.   |

PARAGRAPH 4  
OFFENCES UNDER THE UNLAWFUL ACTIVITIES (PREVENTION) ACT, 1967  
( 37 OF 1967)

| Section                 | Description of offence                                     |
|-------------------------|--|
| 10 read with section 3  | Penalty for being member of an unlawful association, etc.  |
| 11 read with section 3  | Penalty for dealing with funds of an unlawful association. |
| 13 read with section 3  | Punishment for unlawful activities.                        |
| 16 read with section 15 | Punishment for terrorist act.                              |

| Section | Description of offence   |
|---------|--|
| 16A     | Punishment for making demands of radioactive substances, nuclear devices, etc. |
| 17      | Punishment for raising fund for terrorist act.                                 |
| 18      | Punishment for conspiracy, etc.  |
| 18A     | Punishment for organising of terrorist camps.                                  |
| 18B     | Punishment for recruiting of any person or persons for terrorist act.          |
| 19      | Punishment for harbouring, etc.  |
| 20      | Punishment for being member of terrorist gang or organisation.                 |
| 21      | Punishment for holding proceeds of terrorism.                                  |
| 38      | Offence relating to membership of a terrorist organisation.                    |
| 39      | Offence relating to support given to a terrorist organisation.                 |
| 40      | Offence of raising fund for a terrorist organisation.                          |

#### PARAGRAPH 5

#### OFFENCES UNDER THE ARMS ACT, 1959

(54 OF 1959)

| Section | Description of offence  |
|---------|---|
| 25      | <p>To manufacture, sell, transfer, convert, repair or test or prove or expose or offer for sale or transfer or have in his possession for sale, transfer, conversion, repair, test or proof, any arms or ammunition to contravention of section 5 of the Arms Act, 1959.</p> <p>To acquire, have in possession or carry any prohibited arms or prohibited ammunition in contravention of section 7 of the Arms Act, 1959.</p> <p>Contravention of section 24A of the Arms Act, 1959 relating to prohibition as to possession of notified arms in disturbed areas, etc.</p> <p>Contravention of section 24B of the Arms Act, 1959 relating to prohibition as to carrying of notified arms in or through public places in disturbed areas.</p> <p>Other offences specified in section 25.</p> |
| 26      | <p>To do any act in contravention of any provisions of section 3, 4, 10 or section 12 of the Arms Act, 1959 in such manner as specified in sub-section (1) of section 26 of the said Act.</p> <p>To do any act in contravention of any provisions of section 5, 6, 7 or section 11 of the Arms Act, 1959 in such manner as specified in sub-section (2) of section 26 of the said Act.</p> <p>Other offences specified in section 26.</p>   |
| 27      | Use of arms or ammunition in contravention of section 5 or use of any arms or ammunition in contravention of section 7 of the Arms Act, 1959.   |

| Section | Description of offence   |
|---------|--|
| 28      | Use and possession of fire arms or imitation fire arms in certain cases.   |
| 29      | Knowingly purchasing arms from unlicensed person or for delivering arms, etc., to person not entitled to possess the same. |
| 30      | Contravention of any condition of a licence or any provisions of the Arms Act, 1959 or any rule made thereunder.           |

## PARAGRAPH 6

## OFFENCES UNDER THE WILD LIFE (PROTECTION) ACT, 1972

(53 OF 1972)

| Section                  | Description of offence  |
|--------------------------|---|
| 51 read with section 9   | Hunting of wild animals.  |
| 51 read with section 17A | Contravention of provisions of section 17A relating to prohibition of picking, uprooting, etc., of specified plants.                                |
| 51 read with section 39  | Contravention of provisions of section 39 relating to wild animals, etc., to be Government property.  |
| 51 read with section 44  | Contravention of provisions of section 44 relating to dealings in trophy and animal articles without licence prohibited.                            |
| 51 read with section 48  | Contravention of provisions of section 48 relating to purchase of animal, etc., by licensee.  |
| 51 read with section 49B | Contravention of provisions of section 49B relating to prohibition of dealings in trophies, animals articles, etc., derived from scheduled animals. |

## PARAGRAPH 7

## OFFENCES UNDER THE IMMORAL TRAFFIC (PREVENTION) ACT, 1956

(104 OF 1956)

| Section | Description of offence   |
|---------|--|
| 5       | Procuring, inducing or taking person for the sake of prostitution. |
| 6       | Detaining a person in premises where prostitution is carried on.   |
| 8       | Seducing or soliciting for purpose of prostitution.                |
| 9       | Seduction of a person in custody.                                  |

## PARAGRAPH 8

OFFENCES UNDER THE PREVENTION OF CORRUPTION ACT, 1988

(49 OF 1988)

| Section | Description of offence  |
|---------|---|
| 7       | Public servant taking gratification other than legal remuneration in respect of an official act.                    |
| 8       | Taking gratification in order, by corrupt or illegal means, to influence public servant.                            |
| 9       | Taking gratification for exercise of personal influence with public servant.  |
| 10      | Abetment by public servant of offences defined in section 8 or section 9 of the Prevention of Corruption Act, 1988. |
| 13      | Criminal misconduct by a public servant.  |

## PARAGRAPH 9

OFFENCES UNDER THE EXPLOSIVES ACT, 1884

( 4 OF 1884)

| Section | Description of offence           |
|---------|----------------------------------|
| 9B      | Punishment for certain offences. |
| 9C      | Offences by companies.           |

## PARAGRAPH 10

OFFENCES UNDER THE ANTIQUITIES AND ARTS TREASURES ACT, 1972

( 52 OF 1972)

| Section                | Description of offence  |
|------------------------|---|
| 25 read with section 3 | Contravention of export trade in antiquities and art treasures. |
| 28                     | Offences by companies.  |

## PARAGRAPH 11

OFFENCES UNDER THE SECURITIES AND EXCHANGE BOARD OF INDIA ACT, 1992

(15 OF 1992)

| Section                  | Description of offence  |
|--------------------------|---|
| 12A read with section 24 | Prohibition of manipulative and deceptive devices, insider trading and substantial. |
| 24                       | Acquisition of securities or control.   |

## PARAGRAPH 12

## OFFENCES UNDER THE CUSTOMS ACT, 1962

( 52 OF 1962)

| Section | Description of offence           |
|---------|----------------------------------|
| 135     | Evasion on duty or prohibitions. |

## PARAGRAPH 13

## OFFENCES UNDER THE BONDED LABOUR SYSTEM (ABOLITION) ACT, 1976

( 19 OF 1976 )

| Section | Description of offence  |
|---------|---|
| 16      | Punishment for enforcement of bonded labour.                            |
| 18      | Punishment for extracting bonded labour under the bonded labour system. |
| 20      | Abetment to be an offence.  |

## PARAGRAPH 14

## OFFENCES UNDER THE CHILD LABOUR (PROHIBITION AND REGULATION) ACT, 1986

(61 OF 1986)

| Section | Description of offence  |
|---------|---|
| 14      | Punishment for employment of any child to work in contravention of the provisions of section 3. |

## PARAGRAPH 15

## OFFENCES UNDER THE TRANSPLANTATION OF HUMAN ORGANS ACT, 1994

( 42 OF 1994)

| Section | Description of offence  |
|---------|---|
| 18      | Punishment for removal of human organ without authority.          |
| 19      | Punishment for commercial dealings in human organs.               |
| 20      | Punishment for contravention of any other provisions of this Act. |

## PARAGRAPH 16

## OFFENCES UNDER THE JUVENILE JUSTICE (CARE AND PROTECTION OF CHILDREN) ACT, 2000

( 56 OF 2000)

| Section | Description of offence  |
|---------|---|
| 23      | Punishment for cruelty to juvenile or child.  |
| 24      | Employment of juvenile or child for begging.  |
| 25      | Penalty for giving intoxicating liquor or narcotic drug or psychotropic substance to juvenile or child. |
| 26      | Exploitation of juvenile or child employee.   |



## PARAGRAPH 17

OFFENCES UNDER THE EMIGRATION ACT, 1983

( 31 OF 1983)

| Section | Description of offence  |
|---------|-------------------------|
| 24      | Offences and penalties. |

## PARAGRAPH 18

OFFENCES UNDER THE PASSPORTS ACT, 1967

(15 OF 1967)

| Section | Description of offence  |
|---------|-------------------------|
| 12      | Offences and penalties. |

## PARAGRAPH 19

OFFENCES UNDER THE FOREIGNERS ACT, 1946

( 31 OF 1946)

| Section | Description of offence                                   |
|---------|--|
| 14      | Penalty for contravention of provisions of the Act, etc. |
| 14B     | Penalty for using forged passport.                       |
| 14C     | Penalty for abetment.                                    |

## PARAGRAPH 20

OFFENCES UNDER THE COPYRIGHT ACT, 1957

(14 OF 1957)

| Section | Description of offence  |
|---------|---|
| 63      | Offence of infringement of copyright or other rights conferred by this Act. |
| 63A     | Enhanced penalty on second and subsequent convictions.                      |
| 63B     | Knowing use of infringing copy of computer programme.                       |
| 68A     | Penalty for contravention of section 52A.                                   |

## PARAGRAPH 21

OFFENCES UNDER THE TRADE MARKS ACT, 1999

(47 OF 1999)

| Section | Description of offence   |
|---------|--|
| 103     | Penalty for applying false trade marks, trade descriptions, etc.   |
| 104     | Penalty for selling goods or providing services to which false trade mark or false trade description is applied. |
| 105     | Enhanced penalty on second or subsequent conviction.   |
| 107     | Penalty for falsely representing a trade mark as registered.   |
| 120     | Punishment of abetment in India of acts done out of India.   |

## PARAGRAPH 22

## OFFENCES UNDER THE INFORMATION TECHNOLOGY ACT, 2000

( 21 OF 2000)

| Section | Description of offence   |
|---------|--|
| 72      | Penalty for breach of confidentiality and privacy.                 |
| 75      | Act to apply for offence or contravention committed outside India. |

## PARAGRAPH 23

## OFFENCES UNDER THE BIOLOGICAL DIVERSITY ACT, 2002

( 18 OF 2003)

| Section                 | Description of offence                         |
|-------------------------|--|
| 55 read with section 6. | Penalties for contravention of section 6, etc. |

## PARAGRAPH 24

OFFENCES UNDER THE PROTECTION OF PLANT VARIETIES  
AND FARMERS' RIGHTS ACT, 2001

( 53 OF 2001)

| Section                 | Description of offence  |
|-------------------------|---|
| 70 read with section 68 | Penalty for applying false denomination, etc.                         |
| 71 read with section 68 | Penalty for selling varieties to which false denomination is applied. |
| 72 read with section 68 | Penalty for falsely representing a variety as registered.             |
| 73 read with section 68 | Penalty for subsequent offence.                                       |

## PARAGRAPH 25

## OFFENCES UNDER THE ENVIRONMENT PROTECTION ACT, 1986

( 29 OF 1986)

| Section                | Description of offence   |
|------------------------|--|
| 15 read with section 7 | Penalty for discharging environmental pollutants, etc., in excess of prescribed standards. |
| 15 read with section 8 | Penalty for handling hazardous substances without complying with procedural safeguards.    |

## PARAGRAPH 26

OFFENCES UNDER THE WATER  
(PREVENTION AND CONTROL OF POLLUTION) ACT, 1974

( 6 OF 1974)

| Section | Description of offence                                 |
|---------|--|
| 41(2)   | Penalty for pollution of stream or well.               |
| 43      | Penalty for contravention of provisions of section 24. |

## PARAGRAPH 27

OFFENCES UNDER THE AIR (PREVENTION AND CONTROL OF POLLUTION) ACT, 1981  
( 14 OF 1981)

| Section | Description of offence  |
|---------|---|
| 37      | Failure to comply with the provisions for operating industrial plant. |

## PARAGRAPH 28

OFFENCES UNDER THE SUPPRESSION OF UNLAWFUL ACTS AGAINST SAFETY OF MARITIME  
NAVIGATION AND FIXED PLATFORMS ON CONTINENTAL SHELF ACT, 2002  
( 69 OF 2002)

| Section | Description of offence   |
|---------|--|
| 3.      | Offences against ship, fixed platform, cargo of a ship, maritime navigational facilities, etc.”; |

(ii) in Part B, paragraphs 1 to 25 shall be omitted;

(iii) in Part C, serial number (2) and the entries relating thereto shall be omitted.

**ACT NO. 03 OF 2013**  
**ASSENTED TO ON 3RD JANUARY, 2013**

**THE UNLAWFUL ACTIVITIES (PREVENTION) AMENDMENT ACT, 2012**

**AN**

**ACT**

*further to amend the Unlawful Activities (Prevention) Act, 1967.*

**BE** it enacted by Parliament in the Sixty-third Year of the Republic of India

as follows:—

**1.** (1) This Act may be called the Unlawful Activities (Prevention) Amendment Act, 2012. Short title  
and  
Commence-  
ment.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

37 of 1967.

**2.** In section 2 of the Unlawful Activities (Prevention) Act, 1967 Amendment of  
section 2.  
 (hereinafter referred to as the principal Act),--

(i) clause (ea) shall be renumbered as clause (eb) and before clause (eb) as so renumbered, the following clause shall be inserted, namely:—

'(ea) "economic security" includes financial, monetary and fiscal stability, security of means of production and distribution, food security, livelihood security, energy security, ecological and environmental security;'

(ii) after clause (eb) as so renumbered, the following clause shall be inserted, namely:—

'(ec)"person" includes —

(i) an individual,

(ii) a company,

(iii) a firm.

(iv) an organisation or an association of persons or a body of individuals, whether incorporated or not,

(v) every artificial juridical person, not falling within any of the preceding sub-clauses, and

(vi) any agency, office or branch owned or controlled by any person falling within any of the preceding sub-clauses;'

(iii) for clause (g), the following clause shall be substituted.

namely:—

'(g) "proceeds of terrorism" means,

(i) all kinds of properties which have been derived or obtained from commission of any terrorist act or have been

acquired through funds traceable to a terrorist act, irrespective of person in whose name such proceeds are standing or in whose possession they are found: or

(ii) any property which is being used, or is intended to be used, for a terrorist act or for the purpose of an individual terrorist or a terrorist gang or a terrorist organisation.

*Explanation* – For the purposes of this Act, it is hereby declared that the expression "proceeds of terrorism" includes any property intended to be used for terrorism;'

. (iv) in clause (h), for the words "instruments in any form including", the words "instruments in any form including but not limited to" shall be substituted.

Amendment of  
section 6.

3. In section 6 of the principal Act. in sub-section (/), for the words "two years", the words "five years" shall be substituted.

Amendment of  
section 15.

4. Section 15 of the principal Act shall be renumbered as sub-section (I) thereof and in sub-section (I) as so renumbered,–

(i) in the opening portion, after the word "security", the words ", economic security," shall be inserted;

(ii) in clause (a), after sub-clause (iii), the following sub-clause shall be inserted, namely:–

"(iiia) damage to, the monetary stability of India by way of production or smuggling or circulation of high quality counterfeit Indian paper currency, coin or of any other material; or";

(iii) in clause (c), for the words "any other person to do or abstain from doing any act,", the words "an international or inter-governmental organisation or any other person to do or abstain from doing any act; or" shall be substituted;

(iv) for the *Explanation*, the following *Explanation* shall be substituted, namely:–

*Explanation* – for the purpose of this sub-section,–

(a) "public functionary" means the constitutional authorities or any other functionary notified in the Official Gazette by the Central Government as public functionary;

(b) "high quality counterfeit Indian currency" means the counterfeit currency as may be declared after examination by an authorised or notified forensic authority that such currency imitates or compromises with the key security features as specified in the Third Schedule.;

(v) after sub-section (/), the following sub-section shall be inserted, namely:—

"(.2) The terrorist act includes an act which constitutes an offence within the scope of. and as defined in any of the treaties specified in the Second Schedule"

5. Section 161\ of the principal Act shall be omitted.

Omission of section 16A.

6. For section 17 of the principal Act, the following section shall be substituted, namely:—

Substitution of new section for section 17.

"I 7. Whoever, in India or in a foreign country, directly or indirectly, raises or provides funds or collects funds, whether from a legitimate or illegitimate source, from any person or persons or attempts to provide to, or raises or collects funds for any person or persons, knowing that such funds are likely to be used, in full or in part by such person or persons or by a terrorist organisation or by a terrorist gang or by an individual terrorist to commit a terrorist act, notwithstanding whether such funds were actually used or not for commission of such act, shall be punishable with imprisonment for a term which shall not be less than five years but which may extend to imprisonment for life, and shall also be liable to fine.

Punishment for raising funds for terrorist act.

*Explanation* – For the purpose of this section,—

" (a) participating, organising or directing in any of the acts stated therein shall constitute an offence;

(b) raising funds shall include raising or collecting or providing funds through production or smuggling or circulation of high quality counterfeit Indian currency; and

(c) raising or collecting or providing funds, in any manner for the benefit of or to an individual terrorist, terrorist gang or terrorist organisation for the purpose not specifically covered under section 15 shall also be construed as an offence." .

7. After section 22 of the principal Act, the following sections shall be inserted, namely:—

Insertion of new sections 22A, 22B and 22C.

'22A. (/) Where an offence under this Act has been committed by a company, Offences by every person (including promoters of the company) who, at the time the offence was committed, was in charge of, and was responsible to, the company for the conduct of the business of the company, as well as the company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Offences by companies.

Provided that nothing contained in this sub-section shall render any such person (including promoters) liable to any punishment provided in this Act, if he proves that the offence was committed without his knowledge or that he had exercised reasonable care to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1), where an offence under this Act has been committed by a company and it is proved that the offence has been committed with the consent or connivance of, or is attributable to, any neglect on the part of, any promoter, director, manager, secretary or other officer of the company, such promoter, director, manager, secretary or other officer shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

*Explanation* – For the purposes of this section,–

(a) "company" means any body corporate and includes a firm or other association of individuals; and

(b) "director", in relation to a firm, means a partner in the firm.

Offences by  
societies or  
trusts.

22B. (1) Where an offence under this Act has been committed by a society or trust, every person (including the promoter of society or settlor of the trust) who at the time the offence was committed was in charge of, and was responsible to the society or trust for the conduct of the business of the society or the trust, as well as the society or trust, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Provided that nothing contained in this sub-section shall render any such person liable to any punishment provided in this Act, if he proves that the offence was committed without his knowledge or that he exercised reasonable care to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1), where any offence under this Act has been committed by a society or trust and it is proved that the offence has been committed with the consent or connivance of, or is attributable to, any neglect on the part of any promoter, director, manager, secretary, trustee or other officer of the society or trust, such promoter, director, manager, secretary, trustee or other officer shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

*Explanation.*– For the purpose of this section,–

(a) "society" means any body corporate registered under the Societies Registration Act, 1860 or any other State Act governing the registration of societies;

(b) "trust" means any body registered under the Indian Trusts Act, 1882 or any other State Act governing the registration of trusts; <sup>2 of 1882.</sup>

(c) "director", in relation to a society or trust, means a member of its governing board other than an *ex officio* member representing the interests of the Central or State Government or the appropriate statutory authority.

22C. Where any offence under the Act has been committed by a company or a society or a trust, as the case may be, every person (including promoter of company or trust or settlor of the trust) who at the time of the offence was either in charge or responsible for the conduct of the business shall be punishable with imprisonment for a term which shall not be less than seven years but which may extend to imprisonment for life and shall also be liable with fine which shall not be less than five crore rupees and which may extend to ten crore rupees.'

Punishment for offences by companies, societies or trusts.

Amendment of section 23.

8. In section 23 of the principal Act, in sub-section (I), for the words "chemical substance of warfare, he shall", the words "chemical substance of warfare or high quality counterfeit Indian currency, he shall" shall be substituted.

Amendment of heading of Chapter V.

9. In CHAPTER V of the principal Act, in the heading thereof, after the word "TERRORISM", the words "OR ANY PROPERTY INTENDED TO BE USED FOR TERRORISM" shall be inserted.

Substitution of new section for section 24.

10. For section 24 of the principal Act, the following sections shall be substituted, namely:—

Reference to proceeds of terrorism to include any property intended to be used for terrorism.

'24. In this Chapter, unless the context otherwise requires, all references to "proceeds of terrorism" shall include any property intended to be used for terrorism.

24A. (1) No person shall hold or be in possession of any proceeds of terrorism. <sup>Forfeiture of proceeds of terrorism.</sup>

(2) Proceeds of terrorism whether held by a terrorist organisation or terrorist gang or by any other person and whether or not such terrorist or other person is prosecuted or convicted for any offence under Chapter IV or Chapter VI, shall be liable to be forfeited to the Central Government or the State Government, as the case may be, in the manner provided under this Chapter.

(3) Where proceedings have been commenced under this section, the court may pass an order directing attachment or forfeiture, as the case may be, of property equivalent to, or, the value of the proceeds of terrorism involved in the offence.'



**11.** In section 33 of the principal Act, after sub-section (2), the following sub-sections shall be inserted, namely:— Amendment of section 33.

"(3) Where any person is accused of an offence concerning high quality counterfeit Indian currency, the court may pass an order directing attachment or forfeiture, as the case may be, of property equivalent to the value of such high quality counterfeit Indian currency involved in the offence including the face value of such currency which are not defined to be of high quality, but are part of the common seizure along with the high quality counterfeit Indian currency.

(4) Where a person is accused of an offence punishable under Chapter IV or Chapter VI, the court may pass an order directing attachment or forfeiture, as the case may be, of property equivalent to or the value of the proceeds of terrorism involved in the offence.

(5) Where any person is accused of an offence under Chapter IV or Chapter VI, it shall be open to the court to pass an order that all or any of the property, movable or immovable or both, belonging to him shall, where the trial under the Act cannot be concluded on account of the death of the accused or being declared a proclaimed offender or for any other reason, be confiscated on the basis of material evidence produced before the court."

**12.** In section 35 of the principal Act,—

Amendment of section 35.

(a) in sub-section (1),—

(i) for the word "order", the word "notification" shall be substituted;

(ii) for the word "Schedule", wherever it occurs, the words "First Schedule" shall be substituted;

(b) after sub-section (3), the following sub-sections shall be inserted, namely:—

"( 4) The Central Government may, by notification in the Official Gazette, add to or remove or amend the Second Schedule or Third Schedule and thereupon the Second Schedule or the Third Schedule, as the case may be, shall be deemed to have been amended accordingly.

(5) Every notification issued under sub-section (1) or sub-section (4) shall, as soon as may be after it is issued, be laid before Parliament."

**13.** In section 40 of the principal Act, in sub-section (1), for *Explanation*, the following *Explanation* shall be substituted, namely:— Amendment of section 40.

"*Explanation.*— For the purposes of this sub-section, a reference to provide money or other property includes—

(a) of its being given, lent or otherwise made available, whether or not for consideration; or

(b) raising, collecting or providing funds through production or smuggling or circulation of high quality counterfeit Indian currency." .

Amendment of  
section 23.

**14.** In the principal Act, the existing Schedule shall be renumbered as the First Schedule thereof, and after the First Schedule as so renumbered, the following Schedules shall be inserted, namely:—

#### "THE SECOND SCHEDULE

[See section 15(2)]

- (i) Convention for the Suppression of unlawful Seizure of Aircraft ( 1970);
- (ii) Convention for the Suppression of unlawfui Acts against the Safety of Civil Aviation (1971 );
- (iii) Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents (1973);
- (iv) International Convention against the Taking of Hostages (1979);
- (v) Convention on the Physical Protection of nuclear Material 1980);
- (vi) Protocol for the Suppression of Unlawful Acts of violence at Airports Serving International Civil Aviation, supplementary to the Convention for the Suppression of unlawful Acts against the Safety of Civil Aviation (1988);
- (vii) Convention for the Suppression of Unlawful Acts against the safety of Maritime Navigation (1988);
- (viii) protocol for the Suppression of unlawful Acts against the Safety of Fixed Platforms located on the Continental Shelf (1988); and
- (ix) International Convention for the Suppression of Terrorist Bombings (1997).

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#### THE THIRD SCHEDLLE

[See caluse (b) of *Explanation* to section 15(1)]

Security features to define high quality counterfeit Indian currency notes

- (a) water mark;
- (b) latent image; and
- (c) see through registration in the currency notes . ”.